

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JAY REVELS,

Petitioner,

v.

JEFF NORMAN,

Respondent,

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No. 4:12 CV1903 JMB

**MEMORANDUM AND ORDER**

This matter is before the Court on petitioner's motion for relief from judgment. The motion is denied.

Petitioner argues that the undersigned lacked jurisdiction to issue a final disposition in this case, and he demands *de novo* review of the Court's judgment by a district judge. He is mistaken. Both he and respondent expressly consented to the jurisdiction of the undersigned pursuant to 28 U.S.C. § 636(c) and Rule 73 of the Federal Rules of Civil Procedure. Doc. No. 19. As a result, the argument is meritless.

Petitioner also attempts to assert a new claim for relief. He says he was never charged in an indictment, and therefore, the state court lacked jurisdiction to convict him. Petitioner cannot, however, bring a new claim for habeas relief without first receiving permission from the Court of Appeals. *See* 28 U.S.C. § 2244(b)(3)(A); *Gonzalez v. Crosby*, 545 U.S. 524, 530 (2005) (new claims presented in Rule 60(b) motion subject to restrictions on successive petitions).

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's motion for relief from judgment [ECF No. 22] is **DENIED**.

**IT IS FURTHER ORDERED** that the Court will not issue a certificate of appealability.

Dated this 6th day of January, 2017.

/s/ **John M. Bodenhausen**

JOHN M. BODENHAUSEN

UNITED STATES MAGISTRATE JUDGE